

# **Exhibit D**

**UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

**SPACE EXPLORATION  
TECHNOLOGIES CORP.,**

**Plaintiff,**

**v.**

**NATIONAL LABOR RELATIONS  
BOARD, a federal administrative agency,  
JENNIFER ABRUZZO, in her official  
capacity as the General Counsel of the  
National Labor Relations Board, LAUREN  
M. McFERRAN, in her official capacity as  
the Chairman of the National Labor  
Relations Board, MARVIN E. KAPLAN,  
GWYNNE A. WILCOX, and DAVID M.  
PROUTY, in their official capacities as  
Board Members of the National Labor  
Relations Board, and JOHN DOE in his  
official capacity as an Administrative Law  
Judge of the National Labor Relations  
Board,**

**Defendants.**

Civil Action No. 1:24-cv-00001

**DECLARATION OF DONALD LECLERC IN SUPPORT OF  
PLAINTIFF'S OPPOSITION TO MOTION TO TRANSFER**

Pursuant to 28 U.S.C. § 1746, I, Donald Leclerc, declare as follows:

1. I am a Manager in Operations Engineering for Human Resources at Space Exploration Technologies Corp. (“SpaceX”).

2. In this role, I set the data governance strategy and direct a team charged with the development and maintenance of infrastructure supporting the Human Resources information systems. I am based at SpaceX’s Cape Canaveral, Florida facility.

3. In my role I have access to certain of SpaceX’s digital records and databases and the data they contain.

4. I queried our Human Resources analytics SQL database to return a headcount summary for the date June 15, 2022 using our daily Census report (the “Report”), which is a snapshot-in-time of various employee attributes including Name, Employee Number, Location, Employment Status, and Employee Type. The attributes in the daily Census are sourced from our production instance of Workday HCM and accurately reflect the values in Workday on the day of reporting. Census reports are not modified to update changes to these attribute values retroactively. For example, if an employee is hospitalized and not present at work for multiple days before Human Resources completes leave of absence documentation, the Census report will continue to show an Employment Status of Active until that documentation is finished. A backdated leave of a leave of absence start date in the Workday documentation does not retroactively edit the Census report. Despite these minor discrepancies, the Census report is the tool that SpaceX regularly utilizes to estimate the number of employees it has on a given date.

5. The Report reflects that on June 15, 2022, there were 1,691 total employees based at the spaceport, production, and development facility for Starship rockets located in Boca Chica, Texas (“Starbase”). This number includes regular employees, temporary employees, interns, and

persons on a leave of absence (the Report reflects 15 persons were on a leave of absence at that time). The total number of active employees was 1,676.

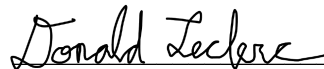
6. The Report reflects that on June 15, 2022, there were 6 total employees based at the human spaceflight mission operations and integration facility in Houston, Texas, all of whom were regular, active employees.

7. The Report reflects that on June 15, 2022, there were 581 total employees based at SpaceX's Rocket Development and Test Facility located in McGregor, Texas. This number includes regular employees, temporary employees, interns, and persons on a leave of absence (the Report reflects 14 persons were on a leave of absence at that time). The total number of active employees was 567.

8. This Report reflects that on June 15, 2022, there were 37 total employees based at SpaceX's Starlink manufacturing facility located in Bastrop, Texas. This number includes regular employees, temporary employees, interns, and persons on a leave of absence (the Report reflects 1 person on a leave of absence at that time). The total number of active employees was 36.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on January 23, 2024, in Cape Canaveral, Florida

  
Donald Leclerc